

## **The European Network on Public Procurement**

for National Authorities and of National Standardization Bodies in the Field of public procurement and the use of recognized standards in technical specifications.

*Challenges for Public Authorities and NSB's on referencing of standards in public procurement.*

- *Sixth joint online meeting.*
  - *January 12<sup>th</sup> 2021 10.30 to 12.30*

## Programme – “*minor changes*”



- 10.30 **Welcome to network members.**
- 10.45 **Latest news from the EU-Commission on public procurement.**
  - *Innovation Procurement – partially postponed.*
- 11.00 **EOTA - and European technical assessments, art 42.3,b**
- 11.30 **Latest news in standardization, CENCENELEC**
- 11.50 **Test reports, certification, and other means of proof. Art. 44**
- 12.10 **Good examples on integrating article 42.3 (standards) in public procurement**
- 12.20 **Any other business**

# Presenters



**Welcome to today's speakers:**

**EOTA**

**Mr. Sergio Vazquez Jimenez, Secretary General**

**CENCENELEC**

**Ms. Christina Thorngreen, Project manager.**

**The European Commission**

**Excused**

**DanSense**

**Mr. Søren Jensen, Director, DanSense**

# Welcome to **new** participants

## New participating countries:

- France: The Ministry of Finance, and the Ministry of the Interior.

## New representatives from public authorities in:

- Poland, The Public Procurement Office
- Romania, The National Agency for Public Procurement

## NSB's and new representatives from:

- NBN, Belgium.

## Observers:

- The European Commission, DG-GROW.



App. 90 representatives following the network  
from **24** countries. Update on 3<sup>rd</sup> December 2021



- Representatives from **20** central public procurement authorities as well as from **19** NSB's (*National standardisation bodies*)

+ **Observers**

# Network and participants

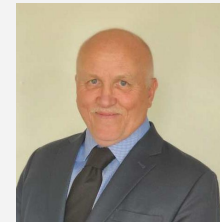
Country	National Public proc. Rep.	NSB representative
Austria	YES	YES
Belgium	YES	YES
Croatia	YES	YES
Cyprus	YES	YES
Czech Republic	YES	no
Denmark	YES	YES
England	no	YES
Estonia	no	YES
Finland	YES	YES
France	YES	no
Germany	YES	YES
Hungary	YES	no
Iceland	YES	YES
Latvia	YES	YES
Lithuania	YES	YES
Luxembourg	no	YES
Malta	YES	no
Norway	YES	YES
Poland	YES	YES
Romania	YES	YES
Slovakia	YES	no
Spain	YES	YES
Sweden	YES	YES
Switzerland	no	YES

New representatives (green) and countries already represented (blue)

## Practicalities when meeting in Zoom

**Please participate in the debate, but**

- Keep the microphone on **MUTE** when not speaking.
- Use “**hands up**” function if more people have questions at the same time.
- **If connection is getting weak**, please turn of video if not talking.
- Presentations will be sent out after the meeting.



# Presentation of DanSense

**DanSense.** Consulting engineers.

**We specialise in:**

## Public Procurement

- Setting of Environmental requirements.
- Referencing of standards.
- Sustainability and circular economy in procurement.

## Environmental Aspects and impacts in general

- Management systems, like e.g.; ISO 14001
- Specific environmental aspects.
- Sustainable development (**Africa project**)



**Søren Jensen:** “Master in Environmental Management”. Owner of DanSense.  
Experience: 35 years from the public and private sector and in a fund.

[www.dansense.dk](http://www.dansense.dk)

Phone.: +45 20247001

E-mail.: sj@dansense.dk



# MISSION

For this  
Network



Tens of millions of Euro spent a year on developing standards, so **why are they not used by public authorities?**

**They are for example essential for ensuring environmentally sustainable development in public procurement !**

## For New participants

- Further **professionalize and simplify public procurement** through increased **referencing of standards** in European Public Procurement whilst demonstrating how to **save money**. (Basis.: PP Directive [2014/24/EU](#))
- Focusing national procurement authorities together with NSB's for increasing **overall awareness and collaboration** on use of standards in public procurement in Europe in general.
- Demonstrate **simple and new ways of referencing standards**.
- **Incorporate relevant topics** like e.g., sustainable procurement and accessibility, climate, and quality in public procurement.
- 3-4 times a year **presenting news and examples** on public procurement related to referencing of standards in public procurement.



# Relevant basic material – initial work

As part of a Joint initiative between the European Commission and the European standardisation organisation CEN/CENELEC

## European Guide for referencing standards in public procurement

December 2018



## Analysis of Public Sector Procurement Activities – A Report on Referencing Standards in Public Procurement

May 2019



DAN  
SENSE

sis  
Swedish Institute for  
Standardisation



Funded  
by the





## Article 42.3 (b-d)

### Annex VII, 2

A Standard in the context of public procurement Directive 2014/24/EU:

- “**standard**” means a technical specification, adopted by a **recognised standardisation body**, for repeated or continuous application, with which compliance is not compulsory, and which is one of the following:
  - International standard
  - European standard
  - National standard
  - European Technical Assessment
  - Common Technical specification



## Legal background for referencing standards

**Directive 2014/24/EU** of the European Parliament and of the council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC **explicitly allows contracting authorities to reference standards in technical specifications in the procurement process**

European Guide  
for referencing standards  
in public procurement

December 2018



## - Article 42 “Technical specifications”

### 42.3

- “....Without prejudice to mandatory national technical rules, to the extent that they are compatible with Union law, **the technical specifications shall be formulated in one of the following ways**”

**42.3.(a) in terms of performance or functional requirements**, including environmental characteristics, provided that the parameters are sufficiently precise to allow tenderers to determine the subject-matter of the contract and to allow contracting authorities to award the contract;



The good  
old way of  
doing  
things  
throughout  
Europe!



## Legal background for referencing standards

- **42.3(b)** “*by reference to technical specifications and, in order of preference, to national standards transposing European standards, European Technical Assessments, common technical specifications, international standards, other technical reference systems established by the European standardisation bodies or - when any of those do not exist - national standards, national technical specifications or national technical specifications relating to the design, calculation and execution of the works and use of the supplies; each reference shall be accompanied by the words ‘or equivalent’;*”
- **42.3(c)** *in terms of performance or functional requirements as referred to in point (a), with reference to the technical specifications referred to in point (b) as a means of presuming conformity with such performance or functional requirements*
- **42.3(d)** *by reference to the technical specifications referred to in point (b) for certain characteristics, and by reference to the performance or functional requirements referred to in point (a) for other characteristics.*

**If you don't understand standards you cannot use (b), (c) or (d)**

European Guide  
for referencing standards  
in public procurement

December 2018



## Art 42.3(b): Order of preference

In order of preference:

- A:** National standards transposing European standards
- B:** European Technical Assessments
- C:** Common technical specifications
- D:** International standards
- E:** Other technical reference systems established by the European standardisation bodies,

**or if the above does not exist**

- F:** National standards
- G:** National Technical approvals
- H:** National Technical specifications

Each reference accompanied by the words “**or equivalent**”.



**This list of  
standards is  
exhaustive**

If not mentioned, then  
not included.

## Implications on other articles when lack of knowledge of 42.3.b-d



**Not being able to reference standards reduces possibilities in e.g.:**

**Article 42.3** "Technical specifications".

**Article 43** "Labels"

**Article 44** "Test reports, certification and other means of proof"

**Article 60** "Means of Proof"

**Article 62** "Quality assurance standards and environmental management standards"

*(And more, not mentioned like especially **Article 68**, Life-Cycle costing and also **Article 53**, electronic availability)*

# An analysis showed

As part of a Joint initiative between the European Commission and the European standardisation organisation CEN/CENELEC

## Analysis of Public Sector Procurement Activities

- A Report on Referencing Standards  
in Public Procurement

May 2019



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sis  
Swedish  
Institute for  
Standards



Funded  
by the



### Analysis made in three sectors:

- Construction
- Medical devices, and
- Waste

### Including:

6 countries and 3525 survey  
persons.

### Response rate:

14 % or 423 persons

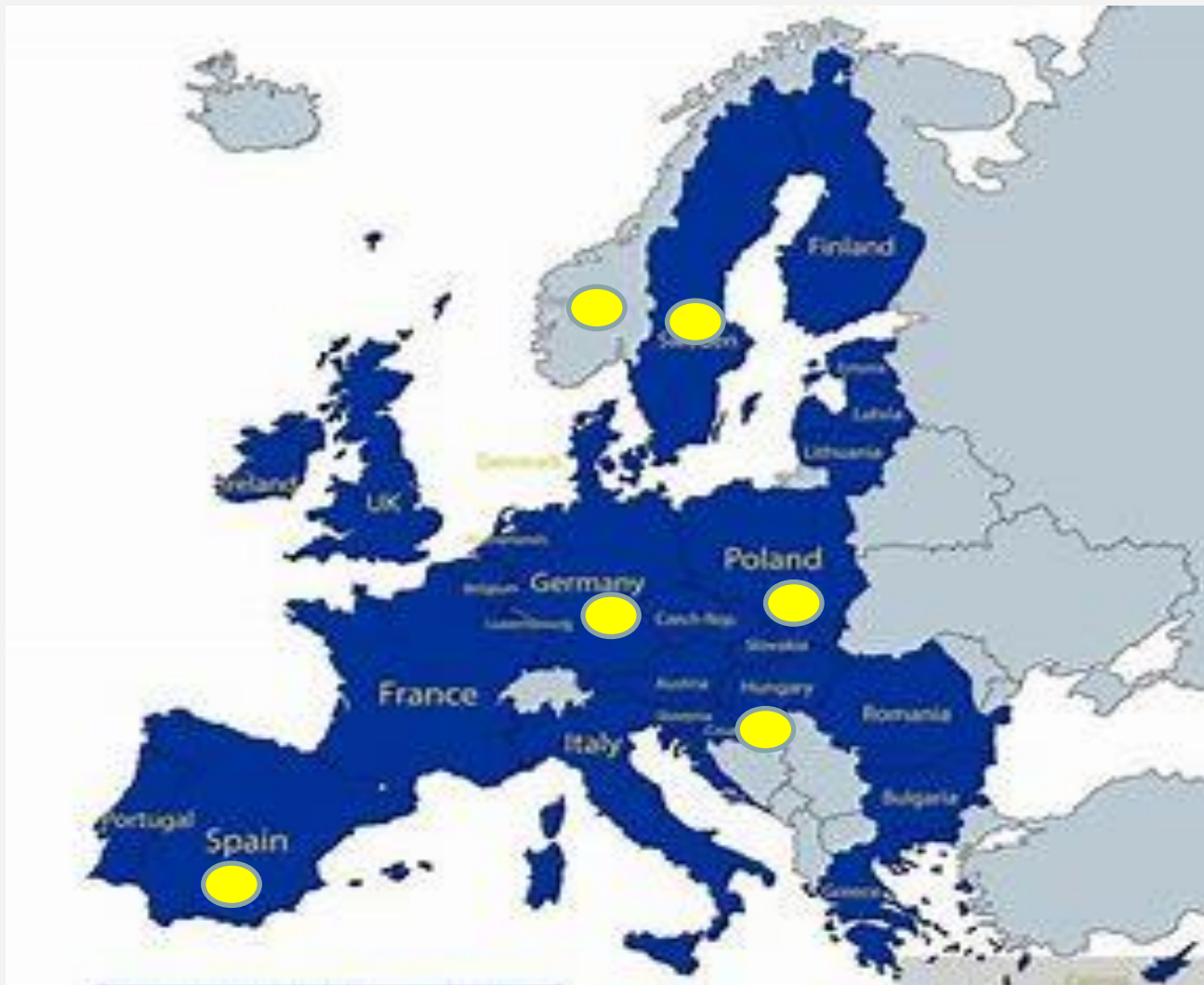
<https://ec.europa.eu/docsroom/documents/33421?locale=en>

and

[https://www.cencenelec.eu/news/brief\\_news/Pages/TN-2019-038.aspx](https://www.cencenelec.eu/news/brief_news/Pages/TN-2019-038.aspx)



# Countries involved in this first survey



# Several interesting results

**Survey persons were extremely competent.** Many years of experience and a long track record in public procurement.

For the **public sector**, **the main reasons for referencing standards** were:

- They are good for describing minimum requirements
- They provide clear specifications
- They are an integrated part of the market

The **private sector** **the main reason** was:

- They are requested by the public sector to provide standards.

**YET:** the survey also revealed.

**It is most likely not known to the public authorities** how to correctly identify and reference standards.



# GDP in public procurement in Europe

**Annual EU budget in public procurement:**  
€ 2000 billion, 13,3 - 14 % of GDP per year.

**Including:**  
250.000 public entities in Europe.

**All public contracting authorities** develop **technical specifications** according to article 42.3 in the Directive 2014/24/EU on Public Procurement

**Potential economic savings by learning how to reference standards in public procurement:**

If 1 % saved = € 20 Billion a year over at least 5 years.

**DanSense estimate for Professionalized procurement with standards:**

5-10 % saved plus introducing sustainable procurement.

DanSense argues.

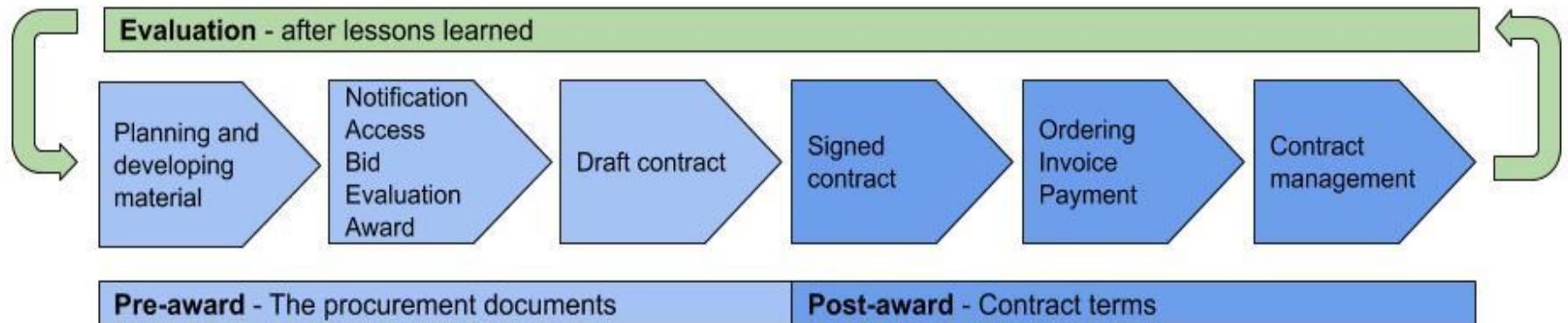
**Money to be saved in public procurement in 5 years in Europe:**

Up to **€ 1000 Billion**. – Enough to reduce environmental and climate impacts considerably **in all countries by focusing increased use of standards in PP**.

# GDP in public procurement in Europe

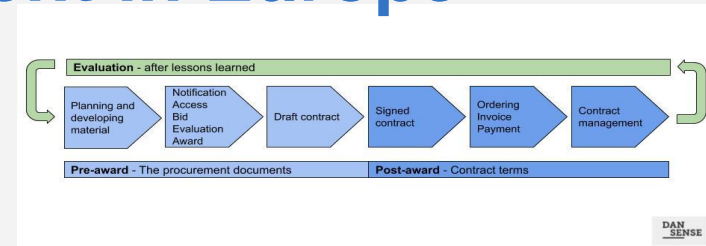
Where money may be lost.

## The procurement process and developing technical specifications



# GDP in public procurement in Europe

Where money may be lost.



Example on a completely random tender found in the TED-database:

**Construction work** - *The tender relates to a laboratory renovation of a specific building XX.*

*The work primarily includes:*

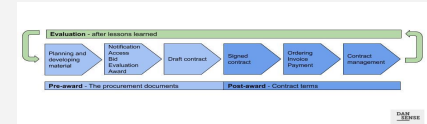
- *Renovation of laboratories*
- *Renovation of corridors, offices, secondary rooms, meeting rooms, other common facilities*
- *Establishment of cold storage*
- *General upgrade of installations and establishment of ring ventilation*
- *Establishment of new elevators*
- *Environmental remediation.*

**Sum: € 10 million. No standards are mentioned in the specifications.**

# GDP in public procurement in Europe

Where money may be lost.

The procurement process



## 1: Planning and developing of technical specifications:

### ➤ **Renovation of laboratories:**

- *Many standards exists on e.g. construction of, ventilation of, safety in laboratories that could clarify needs.*

### ➤ **Renovation of corridors, offices, secondary rooms, meeting rooms, other common facilities:**

*Many standards and labels exists. (e.g. Office chairs - safety )*

### ➤ **Constructing cold storage facilities**

- *Standards on cooling systems, definitions, use, testing, measurement exists.*

### ➤ **General upgrade of installations and establishment of ventilation**

- *Several standards on construction, testing, measurement exists.*

### ➤ **Construction of new elevators**

- *Many standards on construction, tests and verification exists.*

### ➤ **Environmental remediation.**

- *Standards on hazardous chemicals and testing exists as well as legal requirements.*



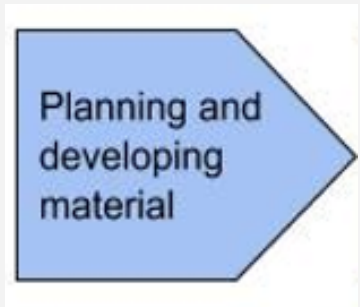
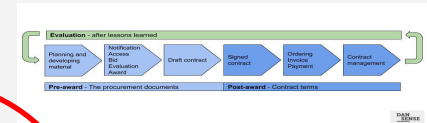
# GDP in public procurement in Europe

Where money may be lost.

The procurement process

## Lack of clarity in specifications when planning and developing the technical specifications may:

- Increase misunderstandings.
- Reduce possibility of documenting what is required.
- Reduce quality.
- Reduce transparency.
- Reduce equal treatment.
- Reduce competition.
- Increase costs. (standard. If you are not sure, then add at least 10 % as bidder)
- Estimate. The uncertainty in description may at least add 5% in extra costs = reduced work later for **€ 0,5 million.**



# GDP in public procurement in Europe

Where money may be lost.

The procurement process

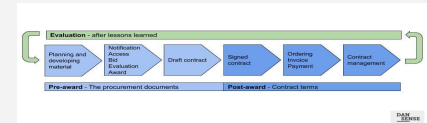
## 2: Notification, Access, Bid, Evaluation, and Award:

**Lack of clarity on actual content, and lack of common understanding of requirements set will:**

- Reduce transparency.
- Reduce equal treatment.
- Reduce competition.
  
- Increase discrimination and
- Increase costs.

When submitting a tender is where the increased costs mentioned under “Planning and development” will appear.

**The estimated 5 % or € 0,5 million may even be a low estimate.**



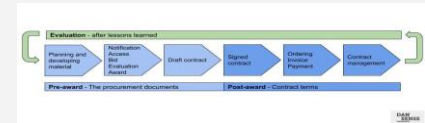


# GDP in public procurement in Europe

Where money may be lost.

The procurement process

## 3: Draft contract:



In technical specifications: Set requirements for test reports, certifications and other means of proof as documentation:

- **The strongest tool in standardisation** is joint recognised international standards providing a documentable way of ensuring requirements met.

Own invented specifications may:

- Reduce equal treatment.
- Reduce competition.
- Eliminate serious documentation possibilities.
- Increase costs considerably in the contract management phase.

**An estimated increased cost on 5 % or € 0,5 million to be effectuated in contract management or is a low estimate.**

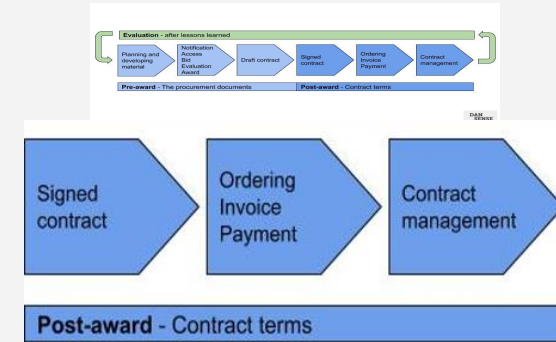


# GDP in public procurement in Europe

Where money may be lost.

The procurement process

## 4: Contract management:



**Lack of referencing standards in the “pre-award” phase when developing the technical specifications will directly affect the contract management phase and may:**

- Increase “misunderstandings” or create episodes of no deliverables.
- Reduce chances of objective documenting deliverables.
- Reduce chances of continual improvement on delivery of goods or services.
- An in total increase costs.

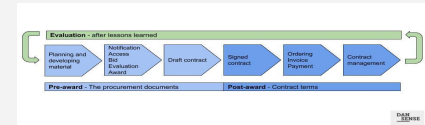
**Major lack of referencing of standard in “pre-award” may easily increase total costs by 5-10 % in “Post-award”. It may even be a low estimate.**

# GDP in public procurement in Europe

Where money may be lost.

The procurement process

## 5: Evaluation and improvement:



Evaluation - after lessons learned

Most frequently, old technical specifications are “re-used”/“recycled” **without lessons learned** from last tender and contract period.

Evaluating and improving material is essential if it is “re-used”, also when it comes to use of standards.

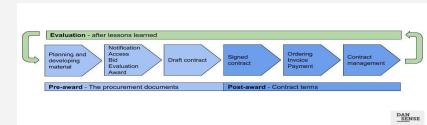
*Remember: Most European standards are revised every 5 years, so just referencing them blindly, as done by most, may prove a dangerous path.*

# GDP in public procurement in Europe

Where money may be lost.

The procurement process

## 5: Evaluation and improvement:



Evaluation - after lessons learned

**Increased use of standards** makes it **easier to re-use material** and to document what happened in the prior contract periods, hence:

- They improve possibility of documentation.
- Increase mutual recognition and competition.
- Increase innovation, and
- Reduce total transaction costs

**Good evaluations provides a better basis for new technical specifications developed which can reduce total costs even more.**

**Remember.**

Only basics are  
presented at  
network meetings.

We dig deeper in  
national training.



**Any questions?**

# Programme



## 10.45 Latest news from the EU-Commission on public procurement

### **“Guidance on Innovation Procurement”**

- Introduction by Søren Jensen, DanSense

Links: [EC Website](#) to the guide.

# “Guidance on Innovation Procurement”

- Published in several [languages](#).



Brussels, 18.6.2021  
C(2021) 4320 final

## COMMISSION NOTICE

### Guidance on Innovation Procurement

EN

EN

# “Guidance on Innovation Procurement”

- **Content of the guide.**

- **Chapter 1** clarifies the **innovation procurement concept**.
- **Chapter 2** outlines the **policy framework** that is necessary.
- **Chapter 3** illustrates how to **open the doors of public procurement to innovators**.
- **Chapter 4** describes **how to put public procurement procedures** at work to modernize public services with innovative solutions and to create growth and jobs.
- **Chapter 5** refers to certain **criteria** that innovation procurement should fulfil.
- **Annexes** provide practical information to buyers on **IPR**, and tools to help buyers organise meetings with suppliers.



# “Guidance on Innovation Procurement”

- **Definition of Innovation.** Procurement in Directive 2014/24/EU, Article 2(22)
  - *“the implementation of a new or significantly improved product, service or process, including but not limited to production, building or construction processes, a new marketing method, or a new organisational method in business practices, workplace organisation or external relations inter alia with the purpose of helping to solve societal challenges or to support the Europe 2020 strategy for smart, sustainable and inclusive growth”;*

(The OECD definition is a bit different)

# “Guidance on Innovation Procurement”



## Question 1

- What is Innovation Procurement?

*“Innovation procurement” refers to any procurement that has **one or both of the following aspects**:*

**A:**

- *buying the process of innovation – research and development services – with (partial) outcomes*

## Meaning:

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*“The public buyer first **describes its need**, prompting businesses and researchers to develop innovative products, services or processes, which do not yet exist on the market, to meet the need.*

# “Guidance on Innovation Procurement”



## Question 1

- What is Innovation Procurement?

*“Innovation procurement” refers to any procurement that has **one or both of the following aspects:***

**B:**

- *Buying the outcomes of innovation”*

**Meaning:**

*“Instead of buying off-the-shelf, acts as an early adopter and buys a product, service or process that is **new to the market and contains substantially novel characteristics.**”*

# “Guidance on Innovation Procurement”



- Reason for the guide – EC arguments.
  - Innovation procurement is a major tool to foster the **transformation of European economy towards a green and digital economy**.
  - Innovation procurement can improve the **economic recovery** of the EU after the COVID-19 crisis with better public investment.
  - The guide presents in a concise manner **the fundamental aspects** of innovation procurement:
    - **why** it is important,
    - **who** has interest in it and
    - **how** this process can be done.

# “Guidance on Innovation Procurement”



- Why Innovation procurement?

- “Innovation procurement offers **untapped opportunities** for startups and the development of innovative solutions as pointed out by the Commission in its recently adopted SME Strategy and Action Plan on Intellectual Property Rights”

## And the Directive is updated

- Public procurement rules are no longer only concerned with “**how to buy**” – they provide scope for incentives on “**what to buy**”, without prescribing them. (Perfect when using recognized standards in pp)

# “Guidance on Innovation Procurement”



- **Why Innovation procurement? (EC)**

- *Boosting the economic recovery, the green and digital transition and the resilience of the EU.*
- *Delivering higher quality public service on an optimal budget.*
- *Addressing an arising need.*
- *Modernising public services*
- *Helping start-ups and innovative SMEs launch and grow*
- *Moving markets towards innovation*

**Several specific examples mentioned in the guide on the above arguments.**

# “Guidance on Innovation Procurement”



- **Obstacles**

- *“**Public buyers**’ main objective is to secure the most stable and reliable procurement outcome.*
- *They usually tend to reduce risks by:*
  - *i. seeking established economic operators with flawless reputations, tax histories and substantial turnovers and*
  - *ii. requesting standard solutions that have proven to be reliable. “*

Innovation procurement requires **new thinking** since it might increase risks for the Public buyer, that might outweigh benefits if not duly considered, weighed and described.

This is where the **ability of referencing standards in PP is essential.**

# “Guidance on Innovation Procurement”

## Referencing standards

in the procurement process



### Where standards can be discussed and referenced

- Preliminary market consultations
- Award criteria
- Technical specification
- Draft contract
- Contract notice - award, suitability



# “Guidance on Innovation Procurement”



## Standards:

- Contain **specific and described basic requirements**.
- Are primarily European or international so they can **increase cross-border trade** by providing a common understanding of product or service.
- Can open for **more innovative tenders** and bids.
- Can provide **better documentation** of delivered product / service

# Why it is good to reference standards



Standards are an easy way to comply with the **basic procurement principles** :

- **Equality** (NB)
- **Transparency**
- **Proportionality** (NB)
- And then they are **non-exclusive** – (Mostly)



# “Guidance on Innovation Procurement”



- One important thing is missing in the guidance.

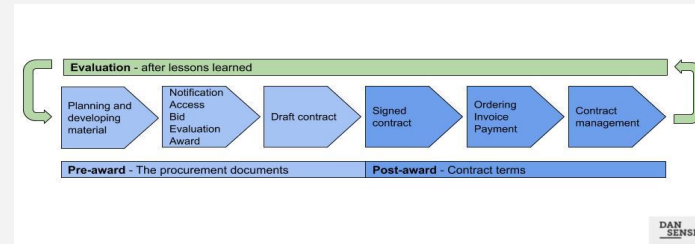
- Article 42 , and the possibilities with referencing of standards in technical specifications are not mentioned in the guide.
- Knowing that standards can **constitute basics and minimum requirements** on e.g.;
  - Measurement
  - Testing
  - Documenting,
  - Safety,
  - Quality, or
  - Climate/environmental impacts, of goods, services or construction,

this allows contracting authorities to think more innovative when developing procurement material and technical specifications.

# GDP in public procurement in Europe

Where money may be lost.

## The procurement process:



### Example:

Construction work

*The tender relates to a laboratory renovation of the building XX.  
The task must be carried out in the main contract.*

### *The work primarily includes:*

- *Renovation of laboratories*
- *Renovation of corridors, offices, secondary rooms, meeting rooms, other common facilities*
- *Establishment of cold storage*
- *General upgrade of installations and establishment of ring ventilation*
- *Establishment of new elevators*
- *Environmental remediation.*

**Sum: € 10 million. No standards are mentioned in specifications.**

# “Guidance on Innovation Procurement”

## Today's example:

Construction work



*The tender relates to a laboratory renovation of the building XX.  
The task must be carried out in the main contract.*

### *The work primarily includes:*

- *Renovation of laboratories*
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- *Establishment of cold storage*
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- *Establishment of new elevators*
- *Environmental remediation.*

# “Guidance on Innovation Procurement”

## Today's example:

Construction work - *laboratory renovation of a building*

- In **Preliminary market consultations** is introduced all basic requirements to e.g.; construction, safety, ICT, quality as described in recognized technical specifications.
- As **Award criteria** is mentioned needed **environmental certificates** or specific approaches like e.g. Life Cycle Assessments, “**LCA**” ensuring in form of standards ensuring only awarding competent bidders.
- In the **Technical specifications** are all relevant standards introduced in market consultations mentioned as minimum requirements.

Without setting specific requirements to functions, or just setting basic requirements to functions besides what is required in standards, this allows the contractor to think more innovative in the parts relevant, as for example elevators, cold storage, or ventilation.



**Any questions?**

## Programme

### 11.00 EOTA - and European technical assessments, art 42.3,b

- Speaker.: **EOTA, Sergio Vazquez Jimenez**, Secretary General



European Organisation for Technical Assessment





**Any questions?**

# Programme

## 11.30 Latest news in standardization



European Standardization Organizations

### European Public Procurement Network – CEN-CENELEC update

Christina Thorngreen, Project Manager



**Any questions?**

## Programme

- 11.50 Test reports, certification, and other means of proof.  
Art. 44**
- Speaker.: DanSense, Søren Jensen

## §

## Article 44 “Test reports, certification and other means of proof”

### Standardisation terms that might confuse.

- Conformity assessment body
- Certificates
- Test reports

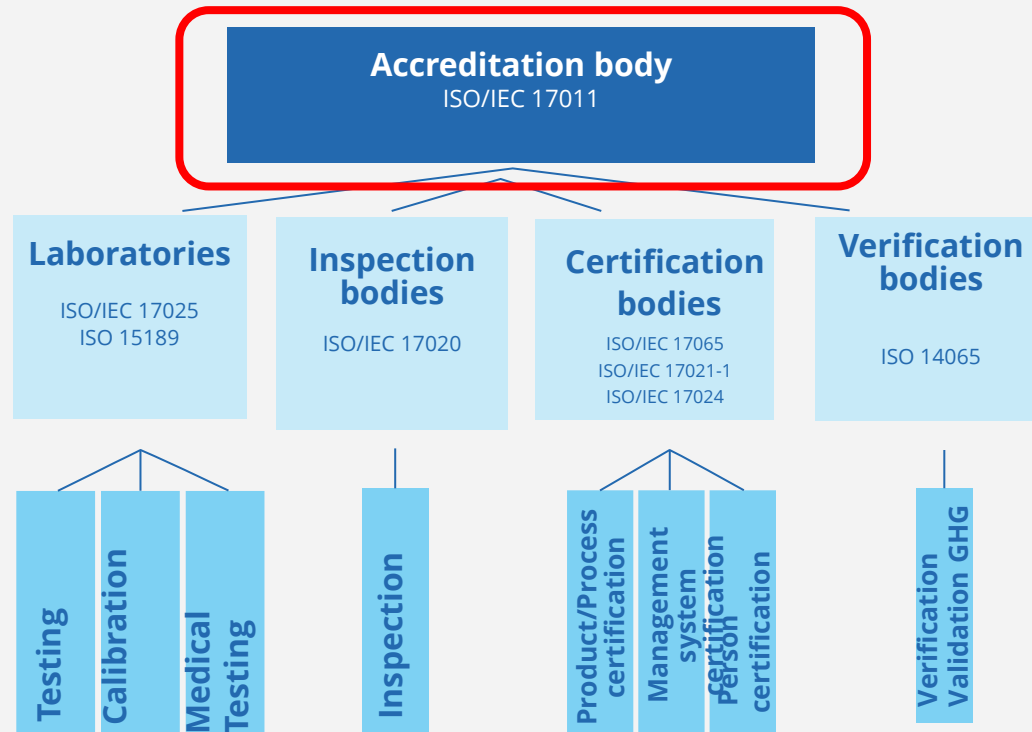
### ***Test reports, certification and other means of proof***

1. Contracting authorities may require that economic operators provide **a test report** from a **conformity assessment body** or **a certificate** issued by such a body **as means of proof of conformity** with requirements or criteria set out in the technical specifications, the award criteria or the contract performance conditions.

Where contracting authorities require the submission of certificates drawn up by a specific conformity assessment body, **certificates from equivalent other conformity assessment bodies shall also be accepted** by the contracting authorities.

# Example

International standards structure ensuring proof of conformity with **test reports** and **certificates**





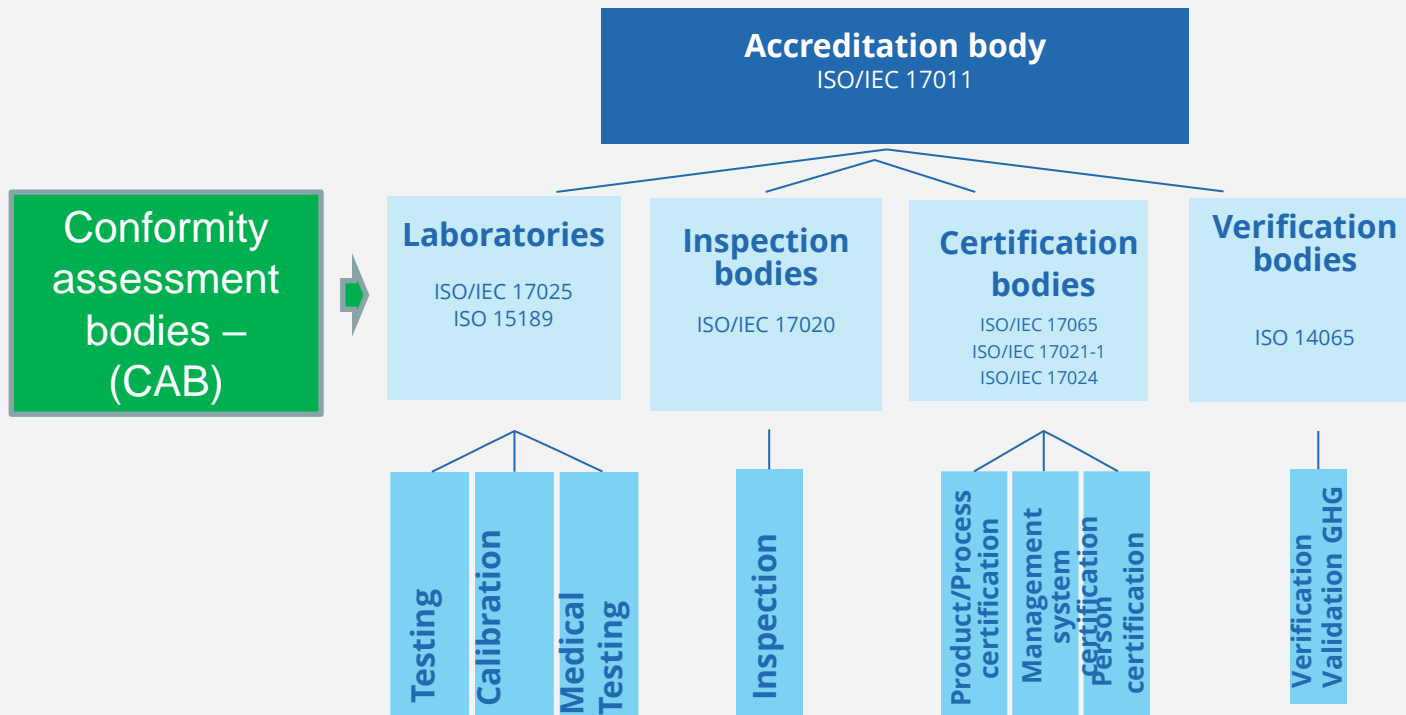
**Accreditation body**  
ISO/IEC 17011

- All national Accreditation bodies in Europe can be found [here](#)

## Examples

- BELAC (Belgium)
- FINAS (France)
- NAH (Hungary)
- NA (Norway)
- PCA (Poland)

# International standards structure ensuring proof of conformity with **test reports** and **certificates**

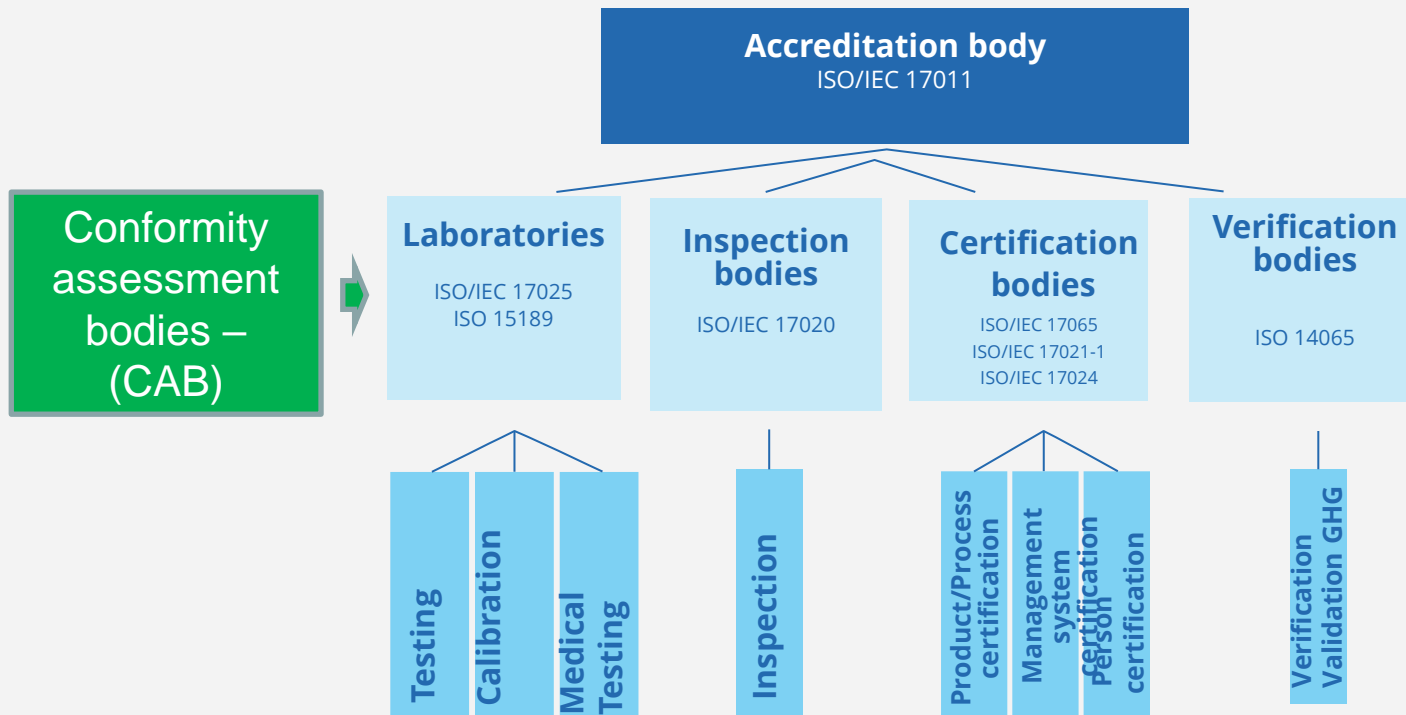


## Terms

- Conformity assessment body



# International standards structure ensuring proof of conformity with **test reports** and **certificates**

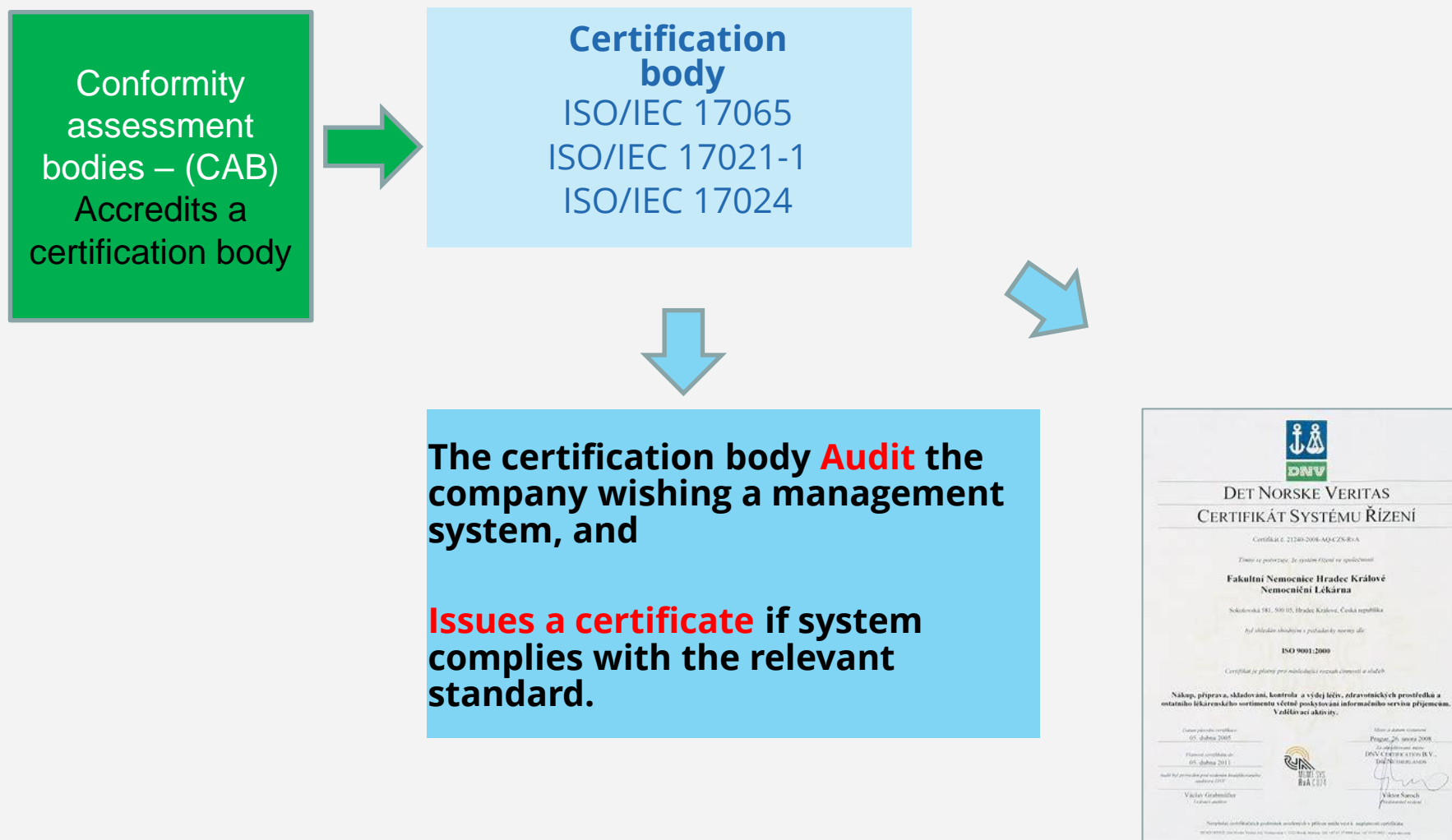


## Terms

- Cab's can provide third party verified or validated **Certificates** or **test reports** per request by a customer.

## Example

International standards structure ensuring proof of conformity with **test reports** and **certificates**





## Article 60 “Means of Proof”

### **Means of proof**

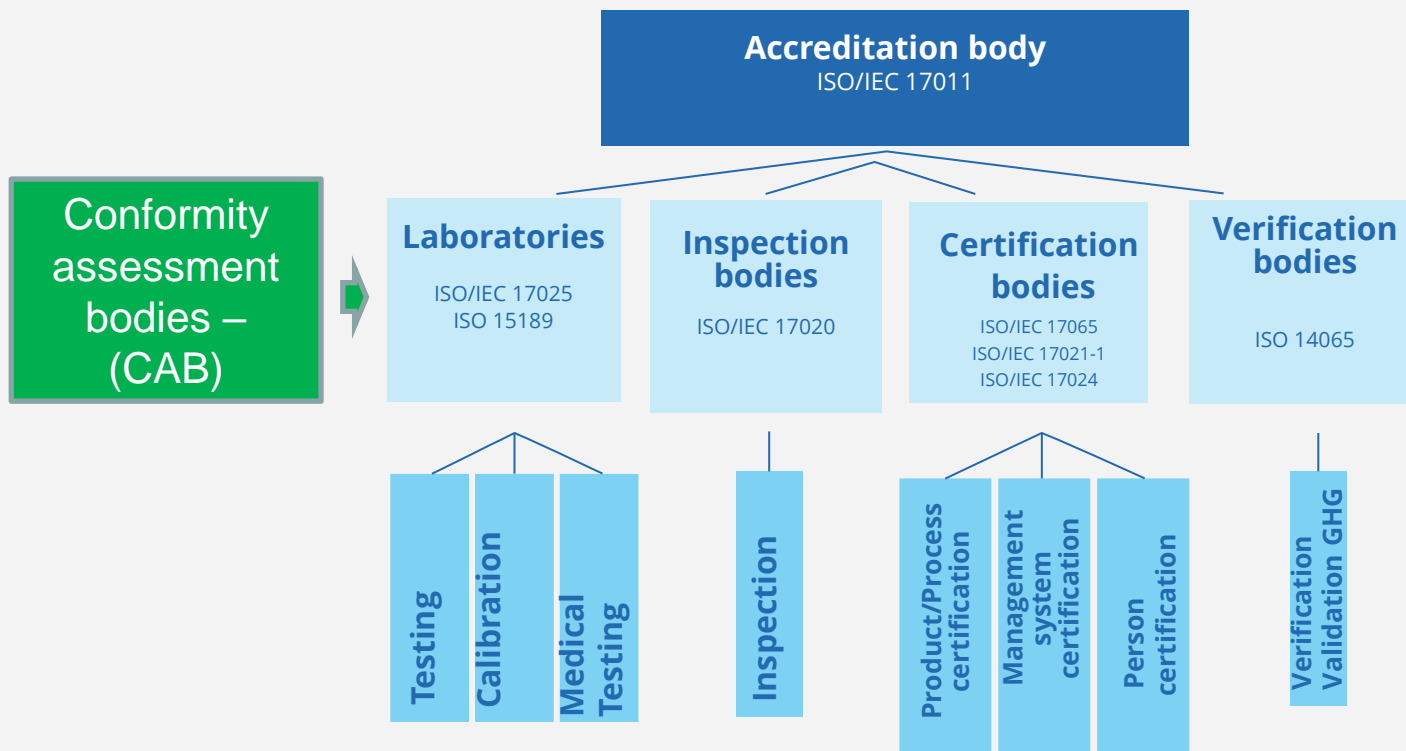
1. Contracting authorities may require the **certificates, statements and other means of proof** referred to in paragraphs 2, 3 and 4 of this Article and **Annex XII as evidence** for the absence of grounds for exclusion as referred to in Article 57 and for the fulfilment of the selection criteria in accordance with Article 58.

**Certificates** issued by competent authorities, **statements and other means of proof** can be provided by **Third party conformity assessment bodies “CAB”** within the international Accreditation body structure constructed by international recognized standards.



## Article 60 “Means of Proof”

One way of ensuring “other means of Proof”  
(The same as above, **provided that.....**)






# Article 60 “Means of Proof”

**Provided that;**

**The Certification body has the needed accreditation to provide the needed mean of proof.**

  
Medlem af EA MLA

Akkreditering til  
Accreditation to

**Certificering af ledelsessystemer**  
Certification of Management Systems

Reg.nr. 6005

Certificeringsorgan  
Certification body

PORCH Certification A/S  
Tucasser 3, 8200 Århus N

Akkrediteringsområde:  
Certification of management systems for conformance with:

- DS/EN ISO 14001:2004 (indt. 15. september 2018) og DS/EN ISO 14001:2015  
- SS/EN ISO 14001:2004 (indt. 15. september 2018) og SS/EN ISO 14001:2015  
- DS/EN ISO 14001:2004 (inkl. 15. september 2018) og DS/EN ISO 14001:2015  
inklusive energistyringsystemer i henhold til BEK 1212/2014 i virksomheder med sektorer  
specifiseret i bilag 1.

Certificering af energiledelsessystemer for overensstemmelse med  
DS/EN ISO 50001:2011, evt. med Energi styrelsen supplerende  
krav, 18. november 2015, i virksomheder med sektorer specificeret i bilag 2.

Scope of Accreditation: Certification of environmental management systems for conformity with:

- DS/EN ISO 14001:2004 (incl. 15 September 2018) and DS/EN ISO 14001:2015  
- SS/EN ISO 14001:2004 (incl. 15 September 2018) and SS/EN ISO 14001:2015  
- DS/EN ISO 14001:2004 (incl. 15 September 2018) and DS/EN ISO 14001:2015  
including energy management systems in accordance with BEK 1212/2014 in companies operating  
within sectors specified in Annex 1.

Certification of energy management systems for conformity with DS/EN ISO 50001:2011 possibly with  
supplementary requirements, 18 November 2015, from the Danish Energy Agency, in companies  
operating within sectors specified in Annex 2.

Gyldighedsperiode:  
Valid:

9. august 2017 til 29. januar 2021

Certificeringsorganet opfylder kravene i:

1. DS/EN ISO/IEC 17021-1:2015 – Overensstemmelsesvurdering - Krav til organer, der foretager audit og  
certificering af ledelsessystemer - Del 1: Krav og
2. DS/ISO 50005:2014 – Energi ledelsessystemer - Krav til organer, der foretager audit og certificering af  
energiledelsessystemer



samt de til enhver tid fastsatte bestemmelser angående dets virksomheds sort akkrediteret certificeringsorgan

The certification body complies with the requirements in:

1. DS/EN ISO/IEC 17021-1:2015 – Conformity assessment – Requirements for bodies providing audit and certification of  
management systems – Part 1: Requirements and
2. DS/ISO 50005:2014 – Energy management systems – Requirements for bodies providing audit and certification of energy  
management systems

and provisions laid down at any time concerning the activities of an accredited certification body.

9. august 2017

 / 

Jesper Høy / Martin Hoff  
Director / Managing Director / Licensee / Lead reviewer

certificeringsorganet godkendes den 22. maj 2017. Revisionsprotokollat underskrevet 22. maj 2017.

DANAK  
 Den Danske Akkrediteringsmyndighed

Dny, anders@danak.dk  
 T +45 44 12 12 12  
 F +45 44 12 12 12

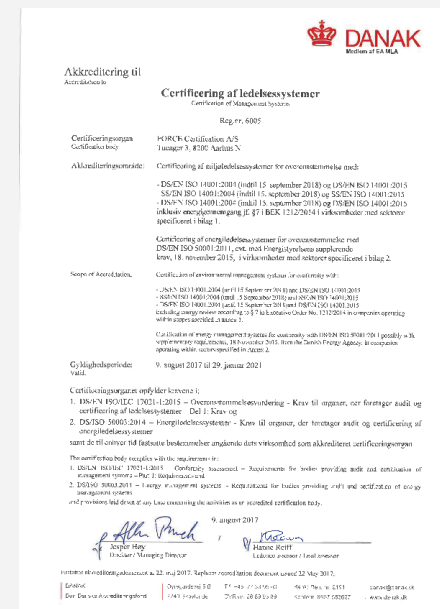
T +45 44 12 12 12  
 F +45 44 12 12 12  
 E-mail: info@danak.dk

Danak  
 Den Danske Akkrediteringsmyndighed

# Article 60 “Means of Proof”

## Accreditation decision to the Conformity Assessment Body (CAB):

- The brand of the national accreditation body. (Name)
- The number of accreditation.
- The rule meaning, the specific scope for the accreditation regulating the activity of conformity assessment.
- Reference to a **technical Annex describing the scope of accreditation** in terms of the specific activities for which it has demonstrated its competence, including period of validity.



# Article 60 “Means of Proof”

## Example on today’s case

Construction work - *laboratory renovation of a building*

- The contracting authority request as minimum requirement in the technical specification a certificate or equivalent documentation as means of proof that;
  - The plan for renovation of laboratories comply with international standards on furnishing of laboratories, and
  - The company complies with certain specific international standards for construction and operations of elevators.
- As part of documentation could be requesting the relevant certificate from the validating/verifying CAB.



**Any questions?**



## Programme

### **12.10 Good examples on integrating article 42.3 “standards” in public procurement**

- Speaker.: DanSense, Søren Jensen

# Integrating article 42.3 “standards” in public procurement

## Examples that could

- ☐ **National experiences made in public tenders**

- ☐ Please forward. We anonymize if requested

- ☐ **Court decisions involving**

# Integrating article 42.3 “standards” in public procurement

At last meeting we focused

- ❑ **National experiences made in public tenders**

- ❑ Setting requirements for Green House Gases via standards in technical specifications.
- ❑ Setting of requirements in building renovation

- ❑ **Court decisions involving**

- ❑ Denmark: **When are evaluation requirements fulfilled, and when is an environmental certification “Or Equivalent”?**

# Integrating article 42.3 “standards” in public procurement

## This time we focus

- ☐ **National experiences made in public tenders**

- ☐ Setting requirements to access and alarm control in public buildings- AIA services.

- ☐ **Court decisions involving**

- ☐ No new cases to present this time

# Setting requirements to access and alarm control in public buildings- AIA services

A Contracting Authority (CA) decides to conduct a tender on:

- **Alarm systems and**
- **Access to public buildings.**

It cannot decide how it wants to develop the procurement documents in an open procedure, and it has challenges in getting all the details described. **The volume is 67 million euro.**

- **It decides to primarily base the technical specifications on minimum requirements described primarily by recognized standards, where possible.**
- **In total almost 30 standards are referenced.**

By doing this the CA can instead focus **functional requirements**, meaning that it put more effort on describing the actual function of the service needed.

# Setting requirements to access and alarm control in public buildings- AIA services

## Examples on some of the standards mentioned

### Immunity

EN 50130-4:2011

### AIA - alarm systems and access to buildings

EN 50131-1:2007

EN 50131-2-2:2008

EN 50131-2-3:2008

EN 50131-2-7-1:2012

EN 50131-2-7-2:2012

### Secure storage systems

EN 1143-1:2012

### Building hardware

EN 1154:1998

EN 1303: 2015

EN 14846:2008

EN 60839-11-1:2013

### Quality

EN ISO 9001:2015

### Data security

ISO/IEC 27001:2013

# Setting requirements to access and alarm control in public buildings- AIA services

## Prorurement process

- **Preliminary market consultations**
  - The standards mentioned were not discussed a market consultation when planning
- **Award criteria**
  - EN/ISO 9001 on Quality management systems as well as
  - ISO/IEC 27001:2013 on Data Security were mentioned as a award criterias.
- **Technical specification**
  - All other standards were named as minimum requirements.

**Advice:** When referencing this many standards in their full nomenclature, it becomes very difficult

# Setting requirements to access and alarm control in public buildings- AIA services

## Prorurement process

- **The public tender went well and without complications**
  - Contracts were signed with 5 suppliers.
- **Advice:**
  - When referencing this many standards in their full nomenclature, it becomes very difficult to read the technical specifications, so standards were only mentioned with their code (e.g; EN 50131-1:2007), and the full name of the standards was mentioned in an appendix.





**Any questions?**

# Programme

## 12.20 Any other business

### ➤ Open for all.

Questions are welcome!



### DanSense proposal for topic.

#### ➤ How do we increase national awareness on use of standards?

- 24 countries following this network, but only a few are taking next steps on national training?
- 250.000 contracting authorities in need of training.

#### ➤ What is missing nationally for getting started?

- Is it lack of central funding for paying for training due to lack of knowledge as to all the positive potentials including saving money?
- Or other challenges?

# Programme

## 12.20 Any other business

DanSense proposal for topic.

➤ **National awareness and training**

With DanSense assisting

# Any other business



## **Proposed national steps toward increased awareness on use of standards in public procurement.**

- Have a first joint national meeting together with DanSense
  - Maybe with other national relevant central stakeholders. 5-10.
- Create your first plan for increased awareness and knowledge training.
  - If needed, with first assistance from DanSense
  - If needed, with training and webinars/workshops from DanSense
- **Example.**
  - **Denmark held first national training (webinar) for central authorities and the largest public contractor in June 2021.**
  - **We are now at fourth national network meeting with 50 public organisations participating in January 2022.**

# Programme

## 12.20 Any other business

**DanSense proposal for topic.**

➤ **Good examples on implementing Article 42 nationally.**

- Good examples are always welcome to be shared in the network.
- This includes court decisions, and if wished, they will be anonymised

# Programme

## 12.20 Any other business

**DanSense proposal for topic.**

➤ **Evaluating the network**

- Evaluate content of meetings and propose new content for next meeting. (The evaluation template)

➤ **Ideas for new topics**

- Related to use of standards.
- Related to sectors or areas of actions like e.g.; Environment, Climate, quality, Work-environment, CSR, Life cycle considerations.

# Any other business

- An **Evaluation** is always good

Evaluation and new ideas for the network.

Webinars: <b>Art. 42.3: Network for public contractors on referencing of standards and green requirements in public procurement.</b>	Date: <b>May 20<sup>th</sup> 2021</b>
Name:	Organisation:
E-mail:	Send to <a href="mailto:sj@dansense.dk">sj@dansense.dk</a>



Did the content on the network live up to your expectations?

5	4	3	2	1

How was the academic level?

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# Any other business

## New topics

Which of the following topics might be most relevant to you at your next network meeting?

1. **Good national experiences** in the use of standards in public procurement
2. **Innovation** through better use of standards.
3. **Latest news from the EC**, on green public procurement
4. **National implementation** on referencing of standards and green requirements in public procurement.
5. **EU's Green deal** and consequences for technical specifications.
6. **EOTA** and European use of ETA's.
7. **Labels** and broader perspectives through the use of standards

1	2	3	4	5	6	7
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Do you have suggestions for new topics to address in the network?

-



# Programme

## 12.20 Any other business

➤ **Next meeting** (Physical before summer vacations?)

Proposal (Physical full day? Or 2-hour network)

➤ 27<sup>th</sup> April

➤ 28<sup>th</sup> April

➤ 2<sup>nd</sup> May

# Thank you for your time Have a great day.



DanSense Ltd

Kallerup Bakkevej 5

4400 Kalundborg

Denmark

CVR: DK-31066832

Office: +45 2024 7001

E-mail: [sj@dansense.dk](mailto:sj@dansense.dk)

